

REMARKS

Summary of Office Action

Claims 37-115 are pending in the above-identified patent application.

The Examiner has rejected claims 37-115 for obviousness-type double-patenting over claims 1-26 of U.S. Patent 6,736,805, issued on parent Application No. 10/160,390, and over claims 1-26 of U.S. Patent 6,409,717, issued on grandparent Application No. 08/809,481.

Applicants' Reply

The double-patenting rejections are respectfully traversed.

Applicants are submitting herewith a first Terminal Disclaimer Under 37 C.F.R. § 1.321(b,c), disclaiming the terminal part of the term of any patent issued on the above-identified patent application that would extend beyond the expiration date of U.S. Patent 6,409,717 (currently January 22, 2017*), and requiring that any such patent remain commonly-owned with U.S. Patent 6,409,717. Applicants also are submitting herewith a second Terminal Disclaimer Under 37 C.F.R. § 1.321(b,c), disclaiming the terminal part of the term of any patent issued on the above-identified patent application that would extend beyond the expiration date of U.S. Patent 6,736,805 (currently January 22, 2017*), and requiring that any such patent remain commonly-owned with U.S. Patent 6,736,805.

The Director is hereby authorized to charge \$260.00, in payment of the \$130.00 fee set forth in 37 C.F.R. § 1.20(d) for each of the aforementioned Terminal Disclaimers, to Deposit Account No. 06-1075 (Order

* It is applicants' and assignee's intention that if any change in the patent statutes, or the awarding of patent term adjustment, changes the expiration date of parent Patent 6,736,805 or grandparent Patent 6,409,717, then the date beyond which the term of any patent to issue on this application is disclaimed shall change to the earlier of the revised expiration dates of the parent and grandparent patents.

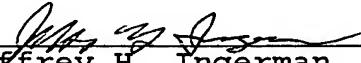
No. 000834-0002). An Authorization to Charge Deposit Account is enclosed herewith.

Accordingly, applicants respectfully submit that the double-patenting rejections should be withdrawn.

Conclusion

For the reasons set forth above, applicants respectfully submit that this application, as amended, is in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested.

Respectfully submitted,



Jeffrey H. Ingerman

Reg. No. 31,069
Attorney for Applicants
FISH & NEAVE IP GROUP
ROPES & GRAY LLP
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000